

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No.
	:	
\$45,002.00 IN UNITED STATES CURRENCY,	:	
	:	
Defendant.	:	
	:	
[CLAIMANT: ANDREA PEPE]	:	August 13, 2019

VERIFIED COMPLAINT OF FORFEITURE

Now comes Plaintiff, United States of America, by and through its attorneys, John H. Durham, United States Attorney for the District of Connecticut, and John B. Hughes, Assistant United States Attorney, and respectfully states that:

1. This is a civil action in rem brought to enforce the provision of 21 U.S.C. § 881(a)(6), which provides for the forfeiture of proceeds traceable to the exchange of controlled substances in violation of the Controlled Substances Act, 21 U.S.C. §§ 801 et seq.
2. This Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is appropriate in the District of Connecticut by virtue of 28 U.S.C. § 1395(b).
3. The Defendant is \$45,002.00 in United States Currency (“Defendant Currency”).
4. The Defendant Currency is located within the jurisdiction of this Court.
5. On May 15, 2019, Andrea Pepe submitted an administrative claim of ownership to the Defendant Currency.

Background of Investigation

6. On March 22, 2019, law enforcement was conducting State of Connecticut DUI enforcement patrols in the town of Branford. On this day, law enforcement observed a black Nissan Rogue make an unsafe maneuver and quickly turn into a gas station, parking it there. Law enforcement observed a white female, later identified as Andrea Pepe (“Pepe”), exit the Nissan and enter the gas station.

7. While Pepe was in the gas station, law enforcement checked the registration status of the Nissan and discovered that the registered owner (Pepe) had an active warrant issued for her arrest. Shortly thereafter, Pepe returned to the Nissan and departed the gas station. Law enforcement then conducted a motor vehicle stop of the Nissan.

8. The Nissan pulled to the side of the road and law enforcement approached the vehicle to ask the operator if she was in fact Andrea Pepe and Pepe confirmed that she was. Law enforcement told Pepe of the warrant’s existence and asked her to exit the vehicle and she complied with this directive.

9. After a brief discussion with law enforcement, Pepe became uncooperative and combative and was subsequently handcuffed. Law enforcement entered the Nissan to retrieve Pepe’s keys, cell phone and identification from her purse before the vehicle was to be towed. When law enforcement looked into Pepe’s bag, they observed a large amount of cash in a clear plastic ziplock bag. Also located within the plastic bag were several white paper envelopes, each containing United States Currency.

10. Law enforcement asked Pepe about the cash in her possession and she said she had approximately \$20,000. When asked if there was additional contraband located within the Nissan, Pepe said she was also in possession of marijuana and prescription pills but that there was no additional cash in the car.

11. Law enforcement then conducted a more complete search of Pepe's vehicle. Law enforcement discovered two more plastic ziplock bags each containing cash visible through the bags and each bag again also containing numerous white paper envelopes, all containing currency.

12. A further search of the Nissan by law enforcement yielded two mason jars containing marijuana and two clear plastic bags also containing marijuana. Law enforcement also found empty clear plastic bags, rubber bands, scales, and numerous prescription pills. Law enforcement knows through training and experience that the marijuana seized along with a large quantity of separated cash and packaging materials is often indicative of the buying, selling and transportation of illegal drugs.

13. Pepe was advised of her Miranda Rights by law enforcement and she acknowledged that she understood her rights. Law enforcement asked Pepe about the currency they located during the search of the Nissan and she said it was \$20,000 from a worker's compensation claim. Pepe could not explain the presence of the marijuana, packaging materials, or scales. Upon further examination of the white paper envelopes containing cash, law enforcement observed hand written notes on the envelopes that appear to be drug record related.

14. Pepe was transported to the Branford Police Department where she was processed and charged with the following State of Connecticut statutory violations: Possession of a Controlled Substance; Possession with the Intent to Sell; Operation of a Drug Factory; and Prescription Forgery.

15. On April 3, 2019, law enforcement took the Defendant Currency to a Bank of America branch to receive an official count of the seized money, which actually totaled \$45,002.00.

16. Law enforcement subsequently ran a criminal history of Pepe and discovered that besides the charges relating to this forfeiture action, she had been arrested earlier in 2019 as well as in 2009.

17. Based on the above information, it is believed that \$45,002.00 in United States Currency constitutes proceeds from the illegal sale and distribution of narcotics and is therefore subject to forfeiture pursuant to 21 U.S.C. Section 881(a)(6).

18. The Defendant Currency represents proceeds traceable to the exchange of controlled substances in violation of the Controlled Substances Act, 21 U.S.C. §§ 801 et seq., and is, therefore, subject to forfeiture to the United States of America pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States of America prays that a Warrant of Arrest In Rem be issued for \$45,002.00 in United States Currency; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the property to be condemned and forfeited to the United States of America for disposition according

to law; and that the United States of America be granted such other relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

JOHN H. DURHAM
UNITED STATES ATTORNEY

/s/ John B. Hughes
JOHN B. HUGHES
ASSISTANT U.S. ATTORNEY
157 CHURCH STREET, 25TH FLOOR
NEW HAVEN, CT 06510
(203) 821-3700
FEDERAL BAR # ct05289
John.Hughes@usdoj.gov

DECLARATION

I am a Task Force Officer for the United States Drug Enforcement Administration, and the agent assigned the responsibility for this case.

I have reviewed the contents of the foregoing Verified Complaint of Forfeiture and the statements contained therein are true to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 13th day of August, 2019.

/s/ Michael Paleski
MICHAEL PALESKI
TASK FORCE OFFICER
U.S. DRUG ENFORCEMENT ADMINISTRATION